

**United States District Court**

**for the**

## Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Feb 24, 2020

SEAN F. McAVOY, CLERK

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Hermino Garcia Rojas Case Number: 0980 2:10CR02120-MKD-1

Address of Offender: Yakima, Washington 98901

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Mary K. Dimke, U.S. Magistrate Judge

Date of Original Sentence: November 17, 2011

Original Offense: Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1)

Original Sentence:	Prison - 120 months	Type of Supervision: Supervised Release
	TSR - 96 months	

Revocation Sentence:	Prison - 12 months
January 15, 2019	TSR - 84 months

Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: December 27, 2019

Defense Attorney: Paul Shelton Date Supervision Expires: December 26, 2026

## PETITIONING THE COURT

To issue a warrant.

The probation officer believes the offender has violated the following conditions of supervision:

[illegible]

7 **Standard Condition #2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

**Supporting Evidence:** Mr. Rojas is alleged to have failed to report to probation as directed on February 20 and 21, 2020.

On January 2, 2020, supervised release conditions were reviewed and signed by Mr. Rojas, acknowledging his understanding of standard condition number 2, which requires him to report to probation as instructed.

On February 19, 2020, Mr. Rojas was directed by this officer to report to probation on February 20, 2020, at 12 p.m. for an office visit and to provide a urinalysis test. On February 20, 2020, Mr. Rojas sent this officer a text message at 5:27 p.m. stating he missed the scheduled meeting because he woke up late and he will report to the probation office on February 21, 2020.

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On February 21, 2020, Mr. Rojas sent this officer a text message at 11:36 a.m. stating he was on his way to report to the probation office. He also stated he was struggling with his sobriety and needed to go to inpatient treatment.

Mr. Rojas failed to report to the probation office on February 21, 2020, as directed and failed to contact this officer to explain why he could not report. His current whereabouts are unknown and he is not responding to this officer's attempts to locate him.

8      **Special Condition #1:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** Mr. Rojas is alleged to have been unsuccessfully discharged from outpatient treatment at Merit Resource Services on February 20, 2020.

On January 2, 2020, supervised release conditions were reviewed and signed by Mr. Rojas, acknowledging his understanding of special condition number 1, which requires him to enter into and successfully complete substance abuse treatment.

On February 20, 2020, this officer spoke with Merit staff about Mr. Rojas' compliance with treatment. Merit staff informed this officer that Mr. Rojas failed to show up for outpatient treatment on February 20, 2020, was discharged for lack of attendance/participation.

The U.S. Probation Office respectfully recommends the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:      February 24, 2020

\_\_\_\_\_  
s/Phil Casey

\_\_\_\_\_  
Phil Casey  
U.S. Probation Officer

\_\_\_\_\_

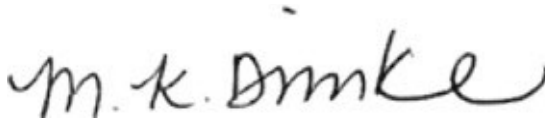

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other

\_\_\_\_\_  
Signature of Judicial Officer

2/24/2020

\_\_\_\_\_  
Date